

# **EXHIBIT B**

## **EXHIBIT 4**

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

\_\_\_\_\_  
SPACE DATA CORPORATION, )  
 )  
Plaintiff, )  
 )  
vs. ) Case No.:  
 ) 5:16-cv-03260-BLF  
ALPHABET INC., and GOOGLE )  
LLC, )  
 )  
Defendants. )  
\_\_\_\_\_ )

HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

VIDEOTAPED 30(b)(6) DEPOSITION OF GERALD MARK KNOBLACH  
San Francisco, California  
Wednesday, July 11, 2018  
Volume I

Reported by:  
RACHEL FERRIER,  
CSR No. 6948  
Job No. 2963534

PAGES 1 - 244

Page 1

1 And then kind of on the periphery of the group, 04:51:27  
2 because of the space constraints, other people may or 04:51:30  
3 may not have been. 04:51:33

4 Q And how about -- there was a portion of the tour 04:51:35  
5 when you were in a conference room and that's when there 04:51:37  
6 was Q&A; right? 04:51:40

7 A Yes. 04:51:41

8 Q And who was in the conference room from the 04:51:41  
9 Space Data side of things? 04:51:43

10 A Myself, Jim Wiesenberg, Eric Frische, Jerry 04:51:44  
11 Quenneville, and probably that's about it, because you 04:51:49  
12 add those four people with, I think, the 11 Google 04:51:58  
13 people, that's 15 people in the conference room. Would 04:52:02  
14 have been pretty crowded after that. 04:52:04

15 Q Were there any other portions of the tour -- and 04:52:06  
16 we are going to spend more time on the tour tomorrow, 04:52:15  
17 but were there any other portions of the tour, other 04:52:18  
18 than launching the balloon out in the parking lot, 04:52:20  
19 beyond the NOC, the area where the payload was on 04:52:26  
20 display, and the conference room portion? 04:52:29

21 A So the conference room -- we proceeded to this 04:52:31  
22 back room where we inflated the balloon for launch. In 04:52:38  
23 that back room, I believe, that time, was the oven we 04:52:42  
24 used to cure the balloons and some of the equipment used 04:52:45  
25 to launch the balloons. 04:52:47

Page 237

Page 238

1 have about five minutes left, so I'm going to try and 04:54:03  
2 finish my cast of characters and then we will call it a 04:54:05  
3 day. 04:54:08  
4 A Okay. 04:54:08  
5 Q Where -- you mentioned that -- that there was a 04:54:08  
6 couple balloons that were launched as part of the 04:54:13  
7 tour -- 04:54:16  
8 A Mm-hmm. 04:54:16  
9 Q -- and that those were -- you said they were the 04:54:16  
10 SkySat model; correct? 04:54:19  
11 A No. 04:54:20  
12 Minnie Ingersoll launched a SkySite Mark 1 04:54:20  
13 900-megahertz payload. Larry and Sergey -- Larry Page 04:54:25  
14 and Sergey Brin launched a SkySat military, mil., UHF 04:54:27  
15 payload. 04:54:33  
16 Q Okay. And where then did you -- was the -- did 04:54:33  
17 you monitor the progress of those balloons from the NOC 04:54:35  
18 space after the launch? 04:54:38  
19 A We did. 04:54:39  
20 And -- and the purpose -- the purpose of people 04:54:43  
21 kind of revisiting it is it takes -- as I've mentioned, 04:54:46  
22 balloons rise to a thousand feet per minute, so to get 04:54:49  
23 to 60,000 feet takes about than a hour. 04:54:53  
24 So my recollection is we -- we arrived -- they 04:54:56  
25 went through sort of the sign-in procedure into the 04:54:57

Page 239

1 conference room, and we kind of outlined the agenda, 04:55:00  
2 which was kind of: First, launch the balloons and then 04:55:04  
3 do the tour, launch, and then go back; because, by that 04:55:08  
4 time, an hour would have elapsed, or more, and you would 04:55:12  
5 have been able to see the balloons have leveled off, and 04:55:14  
6 then part of that introductory [sic] comments I made, 04:55:18  
7 we also advised everyone that everything they were going 04:55:20  
8 to see within the walls of our facility was proprietary 04:55:23  
9 and confidential to Space Data and should be treated as 04:55:26  
10 such under the NDA we signed with Google. 04:55:29

11 So then we did the launch as quick as we could, 04:55:31  
12 toured the facility, went back to the conference room 04:55:34  
13 and grabbed some lunch, and then the SkySat mil. UHF was 04:55:38  
14 on display in screens of the manufacturing area next to 04:55:44  
15 where the payload was displayed, and the SkySite 04:55:48  
16 900-megahertz system that was launched first would have 04:55:52  
17 been on a screen in the NOC. And, at that time, when 04:55:55  
18 they went back to the NOC, the balloon would have been, 04:56:00  
19 you know, fully leveled off, and they would have seen 04:56:03  
20 the entire profile of it going from the ground to its 04:56:06  
21 installed location in the sky. 04:56:09

22 Q Who did you speak with -- you mentioned that 04:56:10  
23 you -- you spoke with people to gather their 04:56:18  
24 recollections about what happened during the tour. 04:56:20

25 You also mentioned that it -- you didn't do that 04:56:23

1 I, the undersigned, a Certified Shorthand  
2 Reporter of the State of California, do hereby certify:

3 That the foregoing proceedings were taken before  
4 me at the time and place herein set forth; that any  
5 witnesses in the foregoing proceedings, prior to  
6 testifying, were placed under oath; that a verbatim  
7 record of the proceedings was made by me using machine  
8 shorthand which was thereafter transcribed under my  
9 direction; further, that the foregoing is an accurate  
10 transcription thereof.

11 I further certify that I am neither financially  
12 interested in the action nor a relative or employee of  
13 any attorney or any of the parties.

14 IN WITNESS WHEREOF, I have this date subscribed  
15 my name.

16  
17 Dated: July 18, 2018  
18  
19  
20  
21

22   
23 \_\_\_\_\_

24 RACHEL FERRIER

25 CSR No. 6948



UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

-----  
SPACE DATA CORPORATION, )  
Plaintiff, )  
vs. ) Case No.:  
ALPHABET INC., and GOOGLE ) 5:16-cv-03260-BLF  
LLC, )  
Defendants. )  
-----

HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

CONTINUED VIDEOTAPED 30(b)(6) DEPOSITION OF  
GERALD MARK KNOBLACH  
San Francisco, California  
Thursday, July 12, 2018  
Volume 2

Reported by:

RACHEL FERRIER, CSR No. 6948

Job No. 2963535

PAGES 245 - 471

Page 245

1           So when did the Google group arrive at           11:45:33  
2   Space Data?           11:45:36  
3           A    I don't have -- I believe that they would have   11:45:38  
4   arrived around 10:00 a.m.           11:45:48  
5           Q    Approximately.           11:45:57  
6           A    More or less. I don't have a good exact timeline   11:45:57  
7   for that. I don't think, when they signed into our   11:46:00  
8   sign-in book, that they put a time on their sign-in   11:46:02  
9   time.           11:46:07  
10           So the overall objective, typically, when we do   11:46:09  
11   these tour [sic] was to get them -- I mean, obviously   11:46:12  
12   Google has -- was coming -- the stated purpose of the   11:46:18  
13   NDA by which they were visiting was to evaluate an   11:46:22  
14   acquisition of shares or assets of Space Data. We had   11:46:26  
15   not hosted someone in the company with that type of   11:46:28  
16   purpose ever before. We were under NDA. We had patents   11:46:31  
17   in the U.S. and worldwide. We had instructed people to   11:46:34  
18   be quite open about sharing because Google would get   11:46:38  
19   kind of unprecedented access to the facility compared to   11:46:42  
20   other people because, one, they might want to buy   11:46:45  
21   everything, so they deserved answers to a fairly broad   11:46:50  
22   list of questions as opposed to other NDAs when we were   11:46:55  
23   partnering on a specific topic. And, secondly, Google   11:46:58  
24   was coming with people of the education level and   11:47:01  
25   experience that could actually understand what we were   11:47:05

Page 324

1 "tour." 11:50:49

2 THE WITNESS: I would have a difficult time 11:50:49

3 quantifying them and understanding -- I mean, nothing to 11:50:54

4 the level -- we had never given a tour to the level we 11:51:00

5 gave to Google, with as much tour, time, and detail. 11:51:03

6 And although this agenda, you know, has time lines on 11:51:08

7 it, the tour that day proceeded at Google's pace. You 11:51:12

8 know, sort of when they were done asking questions and 11:51:18

9 inquiring about a certain area they were in, we would 11:51:20

10 move on. It wasn't like there was a script to it. 11:51:22

11 BY MR. WERDEGAR: 11:51:26

12 Q How many people have you given a tour of the NOC 11:51:27

13 to in your time at Space Data? 11:51:28

14 A Like I said, it's difficult to quantify, but I 11:51:33

15 would say -- so if you include the military that showed 11:51:46

16 up, the couple big days of the military, you know, a 11:51:55

17 couple dozen people at least. 11:52:00

18 Q What time did the Google group leave on the 15th? 11:52:01

19 A I recall them leaving around 2:30, 3:00 p.m. 11:52:06

20 probably. 11:52:12

21 Q Okay. So conference room and introductions was 11:52:12

22 first after checking in. 11:52:27

23 And then you set out to the -- to do a balloon 11:52:32

24 launch; right? 11:52:34

25 A Conference room, introductions, and a statement 11:52:35

Page 328

1 I, the undersigned, a Certified Shorthand  
2 Reporter of the State of California, do hereby certify:

3 That the foregoing proceedings were taken before  
4 me at the time and place herein set forth; that any  
5 witnesses in the foregoing proceedings, prior to  
6 testifying, were placed under oath; that a verbatim  
7 record of the proceedings was made by me using machine  
8 shorthand which was thereafter transcribed under my  
9 direction; further, that the foregoing is an accurate  
10 transcription thereof.

11 I further certify that I am neither financially  
12 interested in the action nor a relative or employee of  
13 any attorney or any of the parties.

14 IN WITNESS WHEREOF, I have this date subscribed  
15 my name.

16  
17 Dated: July 19, 2018

18  
19  
20 

21 RACHEL FERRIER

22 CSR No. 6948

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

-----  
SPACE DATA CORPORATION,

Plaintiff,

vs.

ALPHABET INC., and GOOGLE  
LLC,

Defendants.  
-----

HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY  
CONTINUED VIDEOTAPED 30(b)(6) DEPOSITION OF  
GERALD MARK KNOBLACH  
San Francisco, California  
Monday, July 16, 2018  
Volume 3

Reported by:

RACHEL FERRIER, CSR No. 6948

Job No. 2966005

PAGES 472 - 688

1 Mr. Sharma? 10:56:27

2 A I mean, I would have to go back and -- I assume 10:56:28

3 that, since it's attached to this e-mail, it's what was 10:56:31

4 attached to the e-mail. It looks similar to what we 10:56:34

5 used to call the 18-page deck, but I think it probably 10:56:38

6 is more than that one. I guess it's 18 pages, yeah. 10:56:43

7 Q And that -- the deck that's attached here in 10:56:56

8 Exhibit 1270, this is not a -- this is not a deck that 10:57:00

9 Space Data considered to be confidential; correct? 10:57:04

10 A No. This is a marking [sic] piece we developed 10:57:05

11 to -- as I mentioned in prior testimony last week, we 10:57:08

12 were -- had an outreach program to various bidders in 10:57:12

13 the 700-megahertz auction that was upcoming, trying to 10:57:15

14 market our benefits for teaming with Space Data to 10:57:19

15 participate in that auction and building of the networks 10:57:22

16 after that auction. 10:57:25

17 Q And you didn't have a non-disclosure or 10:57:26

18 confidentiality agreement with Mr. Sharma, did you? 10:57:30

19 A We did not. 10:57:32

20 Q And you didn't have one with The Wall Street 10:57:33

21 Journal, did you? 10:57:36

22 A We did not. 10:57:36

23 Q Okay. And what date did Mr. Sharma actually 10:57:36

24 visit Space Data? 10:57:40

25 A I believe he visited on Tuesday, the week before 10:57:44

Page 533

1 the Google visit on Friday, so if Google visited on the 10:57:53  
2 15th of February and that was a Friday, that makes the 10:57:59  
3 prior Friday the 8th; right? 8, 7, 6 -- must have been 10:58:05  
4 like the 5th, I would guess. 10:58:13

5 Q So a few days after the e-mail exchange you are 10:58:14  
6 having in Exhibit 1270 but before you left for your trip 10:58:16  
7 to Alaska you have testified about; correct? 10:58:20

8 A Correct. 10:58:22

9 Q Okay. And roughly -- I won't hold you to the 10:58:22  
10 date, but around February 5th, 2008? 10:58:24

11 A Plus or minus a day probably. 10:58:26

12 Q Okay. And when Mr. Sharma visited Space Data, he 10:58:28  
13 received a tour of your facilities; correct? 10:58:35

14 A I mean, he was walked through the facility. 10:58:37

15 I mean, you have to understand, there's a big 10:58:41  
16 difference between the level of the tour you have -- I 10:58:43  
17 mean, you could say he walked through the NOC and 10:58:46  
18 there's lots of screens and a map on the wall. You can 10:58:48  
19 say, well, here's the NOC versus, like, the tour that 10:58:52  
20 Google got where you are drilling into every single 10:58:55  
21 computer screen and every single tab, and so there's a 10:58:58  
22 huge spectrum when you say "tour." 10:59:01

23 I would say that Mr. Sharma got sort of on the 10:59:04  
24 light end of the spectrum. He -- he got taken through 10:59:06  
25 the facility quickly. 10:59:07

Page 534

1 Q Well, how long was he at Space Data that day? 10:59:09

2 A I would recall a couple hours because I think 10:59:11

3 he -- I recall meeting him at the -- the Phoenix airport 10:59:24

4 in the afternoon and February, so -- so in the winter we 10:59:27

5 are two hours off the East Coast, so by the time you 10:59:37

6 catch a morning flight to the East Coast and flight out, 10:59:39

7 you get in at, like, 2:00ish in the afternoon, and we 10:59:42

8 came over to the office, and we -- we both picked him up 10:59:47

9 at the airport, took him to the office, had our 10:59:50

10 meetings, and then dropped him at a Radisson Hotel near 10:59:52

11 I-10, so he would have to go through the time delay of 10:59:57

12 getting a car and returning a car. 10:59:59

13 Q Okay. So he was -- some portion of the afternoon 11:00:01

14 he visited Space Data? 11:00:04

15 A Right. 11:00:05

16 So, I mean, just -- I don't recall exactly, but 11:00:06

17 just given when flights, I think, come in from the East 11:00:08

18 Coast, if you take an early morning one, 8:00 -- you 11:00:12

19 know, it's a five-hour flight, and then you got a 11:00:16

20 two-hour time change, so you get in at 2:00 or 3:00 or 11:00:19

21 something, so he's at the office by, you know, 3:30, 11:00:23

22 4:00 o'clock. 11:00:27

23 Q Okay. So your best estimate is he was on site 11:00:27

24 for about two hours? 11:00:30

25 A I would say somewhere between an hour and two 11:00:31

Page 535



1 hours. 11:00:36

2 Q Okay. And during that time, he received -- I 11:00:37

3 understand your point that it's not as detailed as you 11:00:40

4 say the Google tour was -- 11:00:42

5 A Right. 11:00:44

6 Q -- but he was -- he was in the Network Operation 11:00:45

7 Center, the NOC; correct? 11:00:48

8 A He -- he was walked through the NOC, yes. 11:00:49

9 Q Okay. And was he -- he was in the balloon 11:00:51

10 manufacturing area; correct? 11:00:53

11 A He was walked through the balloon manufacturing 11:00:54

12 area, yes. 11:00:57

13 Q And who was doing the walking, by the way? 11:00:57

14 A Jim Wiesenberg and I. 11:00:59

15 Q Okay. And he was in the -- the production area 11:01:00

16 where the payloads are assembled; correct? 11:01:03

17 A He was in the production area where the payloads 11:01:05

18 were assembled, but I -- I'm not sure if we would have 11:01:07

19 had, like, the payloads all disassembled kind of, you 11:01:12

20 know, lined up on a table like we did for Google. 11:01:16

21 Q Do you know one way or the other? Can you -- 11:01:18

22 A I don't know one way or the other. Yeah, I don't 11:01:20

23 know one way or the other whether we had actually, like, 11:01:26

24 splayed out a payload to its components for him. 11:01:28

25 Q Okay. And he had a camera with him; correct? 11:01:30

Page 536

1           A    Yeah, I remember him commenting kind of that this   11:01:32  
2           was a new thing for him; that, at the time, reporters   11:01:36  
3           had always, I think traditionally, just had a notebook   11:01:39  
4           and taken notes, and he was being asked by his editor to   11:01:43  
5           kind of have some multimedia part of it, so back in   11:01:46  
6           2008, unlike today, most -- most articles did not -- you   11:01:49  
7           know, basically, no articles had a video or pictures,   11:01:55  
8           you know, accompanying them.   11:01:58

9           Q    But in the -- in the new era of media that was   11:01:59  
10          emerging in 2008, he had a camera with him, and,   11:02:03  
11          ultimately, he prepared both a written article but also   11:02:05  
12          there's a video story; correct?   11:02:10

13          A    Right.   11:02:12

14                So, I mean, he had sort of a small digital, you   11:02:13  
15          know, point-and-shoot camera of fairly -- probably low   11:02:17  
16          resolution for the day, and he -- he took some video   11:02:20  
17          that was later posted, and I remember the video actually   11:02:24  
18          was posted again on The Wall Street Journal site,   11:02:26  
19          because I think at the end of 2008, it was determined to   11:02:29  
20          be one of the best videos -- or voted to be one of the   11:02:31  
21          best videos of the year, and there was sort of --   11:02:33  
22          another replay of it in December.   11:02:37

23          Q    Do you know what make and model of camera he had   11:02:39  
24          with him?   11:02:41

25          A    I do not.   11:02:41

1 I, the undersigned, a Certified Shorthand  
2 Reporter of the State of California, do hereby certify:

3 That the foregoing proceedings were taken before  
4 me at the time and place herein set forth; that any  
5 witnesses in the foregoing proceedings, prior to  
6 testifying, were placed under oath; that a verbatim  
7 record of the proceedings was made by me using machine  
8 shorthand which was thereafter transcribed under my  
9 direction; further, that the foregoing is an accurate  
10 transcription thereof.

11 I further certify that I am neither financially  
12 interested in the action nor a relative or employee of  
13 any attorney or any of the parties.

14 IN WITNESS WHEREOF, I have this date subscribed  
15 my name.

16  
17 Dated: July 23, 2018  
18  
19  
20  
21

22   
23 \_\_\_\_\_

24 RACHEL FERRIER

25 CSR No. 6948